

1 ERIC W. SWANIS, ESQ.  
Nevada Bar No. 6840  
2 GLENN F. MEIER, ESQ.  
Nevada Bar No. 006059  
3 **GREENBERG TRAUIG, LLP**  
10845 Griffith Peak Drive, Suite 600  
4 Las Vegas, Nevada 89135  
Telephone: (702) 792-3773  
5 Facsimile: (702) 792-9002  
Email: [swanise@gtlaw.com](mailto:swanise@gtlaw.com)  
6 [meierg@gtlaw.com](mailto:meierg@gtlaw.com)

7 CASEY SHPALL, ESQ.\*  
8 GREGORY R. TAN, ESQ.\*  
**GREENBERG TRAUIG, LLP**  
1144 15<sup>th</sup> Street, Suite 3300  
9 Denver, Colorado 80202  
Telephone: (303) 572-6500  
10 Email: [shpallc@gtlaw.com](mailto:shpallc@gtlaw.com)  
11 [tangr@gtlaw.com](mailto:tangr@gtlaw.com)  
12 \*Admitted Pro Hac Vice  
Counsel for Defendants

13  
14 **IN THE UNITED STATES DISTRICT COURT**  
15 **FOR THE DISTRICT OF NEVADA**

16 PEGGY COLLINS,

17 Plaintiff,

18 v.

19 C. R. BARD, INCORPORATED and BARD  
20 PERIPHERAL VASCULAR, INCORPORATED,

21 Defendants.  
22

Case No. 2:19-cv-01864-RFB-BNW

**STIPULATION TO EXTEND  
DISCOVERY AND PRE-TRIAL  
DEADLINES (FOURTH REQUEST)**

23 Comes now, Defendants C. R. Bard, Inc. and Bard Peripheral Vascular, Inc. (“Bard”  
24 or “Defendants”) and Plaintiff Peggy Collins (“Plaintiff”), by and through their undersigned  
25 counsel of record, pursuant to LR IA 6-2, and hereby stipulate that the discovery deadlines  
26 are extended by sixty (60) days as detailed below. This Stipulation is entered into as a result  
27 of the current national emergency caused by the spread of COVID-19 and continuing  
28 difficulties in locating and scheduling the depositions of Plaintiff’s treating physicians.

Pursuant to Federal Rules of Civil Procedure 6(b) and 26, and the Court's inherent authority and discretion to manage its own docket, this Court has the authority to grant the requested extension. Fed. R. Civ. P. 6(b) ("When an act may or must be done within a specified time the court may, for good cause, extend the time...."). Furthermore, Federal Rule of Civil Procedure 26(c) and (d) vests the Court with authority to limit the scope of discovery or control its sequence. *Crawford-El v. Britton*, 523 U.S. 574, 598 (1998) ("Rule 26 vests the trial judge with broad discretion to tailor discovery narrowly and to dictate the sequence of discovery.").

This Court therefore has broad discretion to extend deadlines or stay proceedings as incidental to its power to control its own docket. *Bacon v. Reyes*, 2013 U.S. Dist. LEXIS 143300, at \*4 (D. Nev. Oct. 3, 2013) (citing, *Munoz-Santana v. U.S. I.N.S.*, 742 F.2d 561, 562 (9th Cir. 1984)) ("Whether to grant a stay is within the discretion of the court"); *Lockyer v. Mirant Corp.*, 398 F.3d 1098, 1109 (9th Cir. 2005) ("A district court has discretionary power to stay proceedings in its own court."). The exercise of this discretion is particularly appropriate where, as here, such action would promote judicial economy and efficiency. *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936) ("[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.").

For the foregoing reasons, the Parties stipulate and request that this Court modify the Stipulated Discovery Plan and Scheduling Order, Dkt. 40, as follows:

| PROPOSED DATE   | DEADLINE   |
|-----------------|--|
| March 13, 2021  | Close of case-specific fact discovery.                                 |
| May 28, 2021    | Parties shall produce case-specific expert reports.                    |
| June 28, 2021   | Parties shall produce any case-specific rebuttal expert reports.       |
| July 27, 2021   | Deadline to depose Plaintiff's experts on their case-specific reports. |
| August 20, 2021 | Deadline to depose Defendants' experts on their case-specific reports. |

| PROPOSED DATE   | DEADLINE  |
|-----------------|---|
| October 8, 2021 | Deadline to file Daubert motions and other dispositive motions. |

**IT IS SO STIPULATED.**Dated this 14<sup>th</sup> day of December 2020.

MARTIN BAUGHMAN, PLLC

GREENBERG TRAURIG, LLP

By: /s/ Ben C. MartinBy: /s/ Eric W. Swanis

BEN C. MARTIN, ESQ.\*

ERIC W. SWANIS, ESQ.

[bmartin@martinbaughman.com](mailto:bmartin@martinbaughman.com)[swanise@gtlaw.com](mailto:swanise@gtlaw.com)

3710 Rawlins Street, Suite 1230

Nevada Bar No. 006840

Dallas, Texas 75219

GLENN F. MEIER, ESQ.

Telephone: (214) 761-6614

[meierg@gtlaw.com](mailto:meierg@gtlaw.com)*\*Admitted Pro Hac Vice*

Nevada Bar No. 006059

PETER C. WETHERALL, ESQ.

10845 Griffith Peak Drive, Ste. 600

Nevada Bar No. 004414

Las Vegas, Nevada 89135

[pwetherall@wetherallgroup.com](mailto:pwetherall@wetherallgroup.com)

Telephone: (702) 792-3773

WETHERALL GROUP, LTD.

CASEY SHPALL, ESQ.\*

9345 W. Sunset Road, Suite 100

[shpallc@gtlaw.com](mailto:shpallc@gtlaw.com)

Las Vegas, Nevada 89148

GREGORY R. TAN, ESQ.\*

Telephone: (702) 838-8500

[tangr@gtlaw.com](mailto:tangr@gtlaw.com)*Counsel for Plaintiff*

GREENBERG TRAURIG, LLP

1144 15<sup>th</sup> Street, Suite 3300

Denver, Colorado 80202

Telephone: (303) 572-6500

*\*Admitted Pro Hac Vice**Counsel for Defendants***ORDER****IT IS SO ORDERED****DATED:** 11:40 am, December 18, 2020

**BRENDA WEKSLER****UNITED STATES MAGISTRATE JUDGE**